

Press Release National Labor Relations Board Office of the General Counsel

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Federal judge issues injunction in Sacramento Coca-Cola Bottling Co. collective bargaining dispute

On Friday, August 20, 2010, the Honorable Frank C. Damrell, Jr., United States District Judge for the Eastern District of California, granted a temporary injunction against Sacramento Coca-Cola Bottling Co., Inc. The petition seeking the preliminary injunction was filed by the National Labor Relations Board, Region 20 (San Francisco). The Judge ordered Sacramento Coca-Cola Bottling to recognize and bargain with Teamsters, Local 150 as the exclusive collective-bargaining representative of their approximately 315 production, distribution and maintenance employees pending issuance of a decision by the National Labor Relations Board.

The order followed Region 20's investigation of an unfair labor practice charge, filed by the union, alleging that the company was refusing to recognize and bargain with the union after the Sacramento Coca-Cola Bottlers Employees Union (SCCBE) had merged with Teamsters, Local 150.

The Region found merit to the union's allegations and issued complaint on June 29, 2010, finding there was substantial continuity between the pre- and post-merger union, and dismissed the company's allegations raised in a separate charge, that there was restraint and coercion during the April 25, 2010, meeting at which the merger vote occurred. That dismissal was upheld by the General Counsel's Office of Appeals.

In addition to enjoining the company from its refusal to recognize and bargain with the union, Judge Damrell's order also requires the company to recognize and bargain with the union, including processing employees' grievances, and "within(10) days of the District Court's order, hold a meeting or meetings, scheduled to ensure the widest possible attendance, at which the District Court's order is to be read to the employees by a responsible management official or, at the Employer's option, by a Board Agent in that official's presence."

The National Labor Relations Board is an independent federal agency vested with the power to safeguard employees' rights to organize and to determine whether to have unions as their bargaining representative. The agency also acts to prevent and remedy unfair labor practices committed by private sector employers and unions.

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